

Update: Traffic Benchbook— Third Edition, Volume 3

CHAPTER 2

Procedures in Drunk Driving and DWLS Cases

2.10 Licensing Sanctions

Effective July 20, 2006, 2006 PA 298 enacted MCL 257.303a to govern situations where more than one state or political entity imposes a license sanction for the same offense. Add the following text before the **Note** at the top of page 83:

When more than one entity imposes a license sanction for the same offense, the sanctions are to run concurrently. MCL 257.303a states:

“Except as otherwise provided in this act, the suspension, revocation, denial, disqualification, or cancellation of an operator’s license, chauffeur’s license, or commercial driver license by another state or the United States shall run concurrently with a suspension, revocation, denial, disqualification, or cancellation of an operator’s license, chauffeur’s license, or commercial driver license by this state that is imposed for the same offense.” MCL 257.303a.

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Procedures in Drunk Driving and DWLS Cases

2.12 Abstract of Conviction Requirements

B. Form of Abstract

Effective July 20, 2006, 2006 PA 298 amended MCL 257.732(3)(d) to remove indorsement classification from the list of information required to be included in an abstract. Replace the quote of MCL 257.732(3)(d) on page 105 with the following:

“(d) The type of vehicle driven at the time of the violation and, if the vehicle is a commercial motor vehicle, that vehicle’s group designation.”

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Procedures in Drunk Driving and DWLS Cases

2.12 Abstract of Conviction Requirements

C. Time for Sending Abstracts—Offenses Included in Abstract Requirements

2. Other Vehicle Code Violations

Effective July 20, 2006, 2006 PA 298 amended MCL 257.732(1)(a) to change the number of days within which a court must forward an abstract of the court record to the Secretary of State after finding a defendant responsible for a traffic civil infraction. On page 106 replace the first paragraph and the four corresponding bullet points with the following text:

In other cases where there has been a charge of or citation for violating or attempting to violate the Vehicle Code or a substantially corresponding local ordinance, an abstract must be prepared and forwarded to the Secretary of State not more than five days after:

- A conviction;
- A forfeiture of bail;
- An entry of a civil infraction determination; or
- An entry of a default judgment.

MCL 257.732(1)(a).

Effective July 20, 2006, 2006 PA 298 amended MCL 257.732(16) to add an additional offense for which the court should not submit an abstract to the Secretary of State. 2006 PA 298 also revised a reference in 257.732(16)(g), a subsection earlier added by 2004 PA 362, effective October 4, 2004. Insert the following text after the last bullet point in this section near the middle of page 107:

- Driving a commercial vehicle without an operator's or chauffeur's license under MCL 257.319b(10)(b)(*vii*) if, before the court appearance date or the date fines are to be paid, the person submits proof to the court that he or she had a valid commercial driver license on the date the citation was issued.
- Driving a noncommercial vehicle without an operator's or chauffeur's license under MCL 257.311 if, before the court

appearance date or the date fines are to be paid, the person submits proof to the court that he or she had a valid driver license on the date the citation was issued.

CHAPTER 6

Procedure and Sanctions

6.4 Licensing Sanctions for Felony Traffic Offenses

Effective July 20, 2006, 2006 PA 298 enacted MCL 257.303a to govern situations where more than one state or political entity imposes a license sanction for the same offense. Add the following text before the **Note** near the top of page 175:

When more than one entity imposes a license sanction for the same offense, the sanctions are to run concurrently. MCL 257.303a states:

“Except as otherwise provided in this act, the suspension, revocation, denial, disqualification, or cancellation of an operator’s license, chauffeur’s license, or commercial driver license by another state or the United States shall run concurrently with a suspension, revocation, denial, disqualification, or cancellation of an operator’s license, chauffeur’s license, or commercial driver license by this state that is imposed for the same offense.” MCL 257.303a.